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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/677,565	10/02/2000	Robert G. Arsenault	PD-200019	4411

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HUGHES ELECTRONICS CORPORATION
PATENT DOCKET ADMINISTRATION RE/R11/A109
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EXAMINER

CORNWELL, BRIAN I

ART UNIT	PAPER NUMBER
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2614

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DATE MAILED: 10/28/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/677,565

Applicant(s)

ARSENAULT ET AL

Examiner

Brian Cornwell

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-18 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-6 and 8-18 is/are rejected.
- 7) ☐ Claim(s) 7 is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 02 October 2000 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on ____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 4.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). ____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

1. Claims 1-6,8-18 rejected under 35 U.S.C. 102(e) as being anticipated by Wugofski (6,003,041).

As to claim 1, Wugofski discloses a system for receiving, organizing and presenting program information from a plurality video service networks. The claimed determination of “a receiver station configuration” is met by the reference’s disclosure of determining, adding, and deleting input source connections (col.6 ln.19-33). The input source connections are uniquely identified (col.5 ln.2-14) and displayed according to configuration and sources (fig.6), as claimed.

As to claim 2, the reference particularly discloses presenting a plurality of configurations and configuration options to a user for selection and configuration (col.4 ln.21-33), as claimed.

As to claim 3, the claimed determination of the configuration according to “a number of converters” is met by the reference’s disclosure of storing information about media input devices

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connected to the system and determining the subsequent channel mapping and program guide contents accordingly (col.5 ln.15-60)

As to claim 4, the reference particularly discloses the use of broadcast information, for determining the system/guide configuration (col.4 ln.50-67), as claimed.

As to claim 5, Wugofski discloses handling channel/guide errors in the EPG system. The reference particularly discloses signaling an error if the channel cannot be tuned by the device (col.6 ln.50-56). In the case of a first program guide (as claimed), this would prevent the display of the program guide information.

As to claim 6, the claimed comparisons between the receiver configuration and the default network identifier, and between the receiver configuration and the transmitting network identifier are met by the references disclosure of a designations of primary and secondary receivers of a logical channel and the subsequent generation and presentation of the program guide/information to the user (col.5 ln.53 – col.6 ln.9), accordingly.

As to claim 8, the claimed antenna, converter and tuner for receiving the broadcast program guide information is met by the UHF/VHF antenna and the DBS satellite service and receivers of the reference system (col.3 ln.2-13). The claimed unique network identifier is met by the reference's disclosure of the input source connections unique identification (col.5 ln.2-14). The reference also particularly discloses the use of a digital processing system (col.3 ln.29-60) capable of determining the receiver configuration (col.6 ln.16-32 and 50-65) for providing program information to the user.

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As to claim 9, the claimed "first module" for presenting the configurations to the user is met by the user/TV interface (fig.3, 320 and col.6 ln.16-33). The claimed "second module" for determining the configuration is met by the device database (fig.3, 350 and col.6 ln.29-33).

As to claim 10, the claimed "first module" for determining the number of converters is met by the TV services module (fig.3, 310). The claimed "second module for determining the configuration is met by the channel mapping services module (fig.3, 360). The reference particularly discloses storing information about media input devices connected to the system and determining the subsequent channel mapping and program guide contents accordingly (col.5 ln.15-60).

As to claim 11, the reference particularly discloses the use of broadcast information, for determining the system/guide configuration (col.4 ln.50-67), as claimed.

Apparatus claims 12-18 are met by that discussed above for method claims 1-7.

Allowable Subject Matter

Claim 7 objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. The references disclose everything, as described above, except the exclusion of steps (b) and (c), when the comparison between the receiver configuration and the default network identifier indicate that the receiver is configured to receive signals from the first service network.

Conclusion


The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Hoffman (5,883,677) discloses a system for receiving, organizing and presenting program information from multiple video service networks.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Brian Cornwell whose telephone number is 703-305-6955. The examiner can normally be reached on M-F 6-4 (alternate Fridays off).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Miller can be reached on 703-305-4795. The fax phone numbers for the organization where this application or proceeding is assigned are 703-872-9314 for regular communications and 703-872-9314 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-4750.

BIC
October 9, 2003


JOHN MILLER
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2600